

Our Docket No: 042390.P4720D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Steven E. Wells

Examiner: Not Yet Assigned

Application No: Not Yet Assigned

Art Unit: Not Yet Assigned

Filed: Concurrently Herewith

For: Counter with Non-Uniform Digit Base

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO-1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form PTO-1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ (a) within three months of the filing date of the patent application, (b) within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application, or (c) before the mailing date of a first Office Action on the merits, or (d) before the mailing date of a First Office Action after the filing of a request for continued examination under § 1.114.
- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, and includes:
- ☐ the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below).
- ☐ the fee of \$180 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), a Petition requesting consideration of the Information Disclosure Statement (see "Petition" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" below).

Copies Of The References

- ☐ Copies of certain references listed on the enclosed Form PTO-1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 C.F.R. § 1.98(a)(3).
- ☐ A copy of the foreign search report is enclosed herewith.
- ☒ All references listed on the enclosed Form PTO-1449 were previously identified in the parent application of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 C.F.R. § 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 U.S.C. § 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1. 09/339,012	June 23, 1999		X	
2				
3.				

Other Applications

- ☐ The Examiner's attention is directed to the following U.S. patent application(s):

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

Certification

- ☐ The **undersigned attorney** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned attorney** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the attorney signing after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Petition

- ☐ The undersigned attorney hereby petitions the Commissioner to consider this Information Disclosure Statement and the references listed on the enclosed Form PTO-1449 in the examination of the above-identified patent application.

Fees

- ☒ No fee is owed by the applicant(s).
- ☐ The **IDS Fee of \$180.00** under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The **Petition Fee of \$130.00** set forth in 37 C.F.R. § 1.17(i) is enclosed herewith.

Method Of Payment Of Fees

- ☐ Attached is a check in the amount of \$ 180.00

☐ Charge Deposit Account No. 02-2666 in the amount of \$. (A duplicate copy of this communication is enclosed for that purpose.)

Authorization To Charge Additional Fees

☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 02-2666. (A duplicate copy of this communication is enclosed for that purpose.)


Instructions As To Overpayment

☒ Credit Account No. 02-2666.
☐ Refund

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: July 8, 2003



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EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EV316318395US

Date of Deposit July 8, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.

Leah Schwenke

(Typed or printed name of person mailing paper or fee)

Leah Schwenke
(Signature of person mailing paper or fee)

US Department of Commerce Patent and Trademark Office Form PTO-1449 (Modified)			Atty. Docket No.: 042390.P4720D		Application No.: Not Yet Assigned	
			Applicant: Steven E. Wells			
			Filing Date: Concurrently Herewith			
US Patent Documents						
Examiner's Initials	Date	Document Number	Name	Class	Sub- Class	Filing Date
	07/04/00	6,084,935	Mather			
	08/07/90	4,947,410	Lippmann, et al.			
	12/31/85	4,562,206	Chou et al.			
	06/19/01	6,249,562 B1	Wells			
	09/12/95	5,450,460	Stodieck			
Foreign Patent Documents						
Examiner's Initials	Date	Document Number	Country	Class	Sub- Class	Translation
Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)						
		U.S. Patent Application No. 09/477,034, filed December 31, 1999, entitled NON-VOLATILE MEMORY BASED MONOTONIC COUNTER, by Lance W. Doveer and Andrew H. Gafken.				
		U.S. Patent Application No. 09/397,175, filed August 23, 1999, entitled METHOD AND SYSTEM FOR IMPLEMENTING A DIGIT COUNTER FOR FLASH MEMORY, BY Steven E. Wells.				
Examiner			Date Considered			

Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through the citation if not in conformance and not considered. Include a copy of this form with the next communication to the applicant